HOUSE CONCURRENT RESOLUTION 20-1001

101 SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF
102 COLORADO AN AMENDMENT TO THE COLORADO CONSTITUTION
103 CONCERNING THE CONDUCT OF CHARITABLE GAMING
104 ACTIVITIES, AND, IN CONNECTION THERewith, ALLOWING
105 BINGO-RAFFLE LICENSEES TO HIRE MANAGERS AND OPERATORS
106 OF GAMES AND REDUCING THE REQUIRED PERIOD OF A
107 CHARITABLE ORGANIZATION'S CONTINUOUS EXISTENCE BEFORE
108 OBTAINING A CHARITABLE GAMING LICENSE, AND MAKING AN
109 APPROPRIATION.

Resolution Summary

(Note: This summary applies to this resolution as introduced and
does not reflect any amendments that may be subsequently adopted. If this
resolution passes third reading in the house of introduction, a resolution

Shading denotes HOUSE amendment  Double underlining denotes SENATE amendment
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.
summary that applies to the reengrossed version of this resolution will be available at http://leg.colorado.gov.)

The concurrent resolution amends section 2 of article XVIII of the Colorado constitution by repealing provisions that:

- Require a charitable organization to have five years' continuous existence before obtaining a charitable gaming license; and
- Prohibit the operation of charitable games by anyone other than a bona fide member of the organization, working as an unpaid volunteer.

Be It Resolved by the House of Representatives of the Seventy-second General Assembly of the State of Colorado, the Senate concurring herein:

SECTION 1. At the election held on November 3, 2020, the secretary of state shall submit to the registered electors of the state the ballot title set forth in section 2 for the following amendment to the state constitution:

In the constitution of the state of Colorado, section 2 of article XVIII, amend (2) and (4) as follows:

Section 2. Lotteries prohibited - exceptions. (2) No game of chance pursuant to this subsection (2) and subsections (3) and (4) of this section shall be conducted by any person, firm, or organization, unless a license as provided for in this subsection (2) has been issued to the firm or organization conducting such games of chance. The secretary of state shall, upon application therefor on such forms as shall be prescribed by the secretary of state and upon the payment of an annual fee as determined by the general assembly, issue a license for the conducting of such games of chance to any bona fide chartered branch or lodge or chapter of a national or state organization or to any bona fide religious,
charitable, labor, fraternal, educational, voluntary firemen's or veterans' organization which THAT operates without profit to its members and which THAT IS REGISTERED WITH THE SECRETARY OF STATE AND has been in existence continuously for a period of five THREE years immediately prior to the making of said BETWEEN THE EFFECTIVE DATE OF ITS INITIAL FILING WITH THE FEDERAL INTERNAL REVENUE SERVICE AND ITS application for such license OR, ON AND AFTER JANUARY 1, 2024, FOR SUCH DIFFERENT PERIOD AS THE GENERAL ASSEMBLY MAY ESTABLISH PURSUANT TO SUBSECTION (5) OF THIS SECTION, and has had during the entire five-year period OF ITS EXISTENCE a dues-paying membership engaged in carrying out the objects of said corporation or organization, such license to expire at the end of each calendar year in which it was issued.

(4) Such games of chance shall be subject to the following restrictions:

(a) The entire net proceeds of any game shall be exclusively devoted to the lawful purposes of organizations permitted to conduct such games.

(b) No person except a bona fide member of any organization may participate in the management or operation of any such game.

(c) No person may receive any remuneration or profit IN EXCESS OF THE APPLICABLE MINIMUM WAGE for participating in the management or operation of any such game.

SECTION 2. Each elector voting at the election may cast a vote either "Yes/For" or "No/Against" on the following ballot title: "Shall there be an amendment to the Colorado constitution concerning the conduct of charitable gaming activities, and, in connection therewith,
allowing bingo-raffle licensees to hire managers and operators of games and reducing the required period of a charitable organization's continuous existence before obtaining a charitable gaming license?"

SECTION 3. Appropriation. (1) For the 2020-21 state fiscal year, $73,649 is appropriated to the department of state. This appropriation is from the department of state cash fund created in section 24-21-104 (3)(b), C.R.S. To implement this act, the department may use this appropriation as follows:

(a) $35,840 for use by the information technology division for personal services,

(b) $30,799 for use by the business and licensing division for personal services, which amount is based on an assumption that the division will require an additional 0.6 FTE; and

(c) $7,010 for use by the business and licensing division for operating expenses.

SECTION 4. Except as otherwise provided in section 1-40-123, Colorado Revised Statutes, if at least fifty-five percent of the electors voting on the ballot title vote "Yes/For", then the amendment will become part of the state constitution.